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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES

In the Matter of:

KENNETH NOEL,
KEYSTONE SANITATION COMPANY, INC.
d/b/a KEYSTONE LANDFILL
R.D. #1
Hanover, Pennsylvania 17331

Illegal Landfill
I.D. #100001
Union Township, Adams County

ORDER

NOW, TO WIT, this 6th day of NOVEMBER, 1979, the Department of Environmental Resources (hereinafter "Department") has determined that:

1. Keystone Sanitation Company, Inc., d/b/a Keystone Landfill, operates a sanitary landfill ("Landfill") located in Union Township, Adams County, Pennsylvania.

2. The operation of said landfill is subject to the provisions of the Pennsylvania Solid Waste Management Act, the Act of July 31, 1968, P.L. 788, No. 241, as amended, 35 P.S. §6001 et seq. (hereinafter the "Solid Waste Act") and the Rules and Regulations adopted thereunder and The Clean Streams Law, the Act of June 22, 1937, P.L. 1987, No. 394, as amended, 35 P.S. §691.5 et seq. (hereinafter "Clean Streams Law").

3. Keystone Sanitation Company, Inc. is in violation of §307 of the Clean Streams Law, 35 P.A. §691.307 in that leachate is oozing from the landfill. Said Company does not have a permit for such discharge nor is it authorized by the Department's Rules and Regulations.

4. Since 1971, Keystone Sanitation Company, Inc. (hereinafter "Keystone") has been operating a landfill without a permit, in violation of §7 of the Solid Waste Act, 35 P.S. §6007.

5. In violation of §9 of the Solid Waste Act, 35 P.S. §6009(1), Keystone has dumped or deposited or permitted the dumping or depositing of solid waste onto the surface of the ground without having obtained a valid permit.

AR200738A

6. Keystone has not provided the Department with an acceptable bond as required by Chapter 101 of the Rules and Regulations of the Department, 25 Pa. Code §101.9.

NOW, THEREFORE, pursuant to §§6, 7 and 9 of the Solid Waste Act, 35 P.S. §§6001, 6007, 6009(1) and §§5 and 610 of the Clean Streams Law, 35 P.S. §§691.5 and 691.610, it is ordered that:

A. The Department denies a permit for the solid waste disposal facility listed in the Department's records as Keystone Sanitation Company, Inc., Solid Waste Disposal Site, Union Township, Adams County, Identification No. 100001.

B. Keystone shall provide the Department with a plan, within forty (40) days of receipt of this Order, for terminating the operation of the Landfill in accordance with Title 25, Rules and Regulations, Chapter 75 of the Department, which include, but are not limited to, provisions for:

- (1) The application of two (2) feet of final cover.
- (2) Limiting access to the site.
- (3) Diversion of all surface water away from the fill areas.
- (4) Grading of a site to not less than one (1) percent and not more than fifteen (15) percent.
- (5) Revegetation of the entire site.
- (6) The collection and treatment of leachate, such that the discharge of said leachate into the waters of the Commonwealth shall be prevented.
- (7) A schedule for implementing the plan.


C. After approval of the plan by the Department, Keystone shall implement the plan in accordance with the schedule contained therein.

D. Keystone shall stop dumping and depositing or permitting the dumping and depositing of solid waste at the Landfill site within ninety (90) days from the date of receipt of this Order.

AR200738B

This Order of the Department may be appealed to the Environmental Hearing Board, First Floor Annex, Blackstone Building, 112 Market Street, Harrisburg, PA, AC(717)787-3483, by any aggrieved person pursuant to Section 1921-A of the Administrative Code of 1929, 71 P. S. §510-21, and the Administrative Agency Law, 2 Pa. C. S. Chapter 5A. Appeals must be filed with the Environmental Hearing Board within thirty (30) days of receipt of written notice of this Order unless the appropriate statute provides a different time period. Copies of the appeal form and the regulations governing practice and procedure before the Board may be obtained from the Board.

FOR THE DEPARTMENT OF ENVIRONMENTAL RESOURCES


DONALD A. LAZARCHIK, P. E.
Director of Solid Waste
Management

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